

File Code: 2230-3 Permit Case Files

Date: April 3, 2003

Dear

Thank you for attending our annual operating meetings (AOI) on March 3 & 18, 2003 for the Mesa Del Medio Allotment. (There is a list of meeting notes included in the AOI). As discussed during our last meeting, it was my decision to reduce permitted Head Months by 40% on the Mesa Del Medio Allotment that includes a delayed entry of July 1, 2003 because of drought conditions in northern New Mexico for the 2003 grazing season. Being that Mesa Del Medio's livestock are predominately grazed in "Querencias" (historical areas), due diligence is expected to ensure that livestock are evenly distributed throughout the allotment.

There is our expectation that all fences will be fixed before livestock entry, specifically the Mesa Del Medio/Youngsville fence. We will ride fence lines one week before livestock entry to ensure fences are adequately repaired. There might be the possibility of a June 15, 2003 entry date if pasture fences can be reconstructed in lower Cañoncito Seco and Cañones Creek. All non-use will be for "Resource Protection" and will not count towards your personal convenience non-use.

Current estimates indicate that we are at 70% of average precipitation and a 4 week delay may possibly produce 20% to 30% more forage. ***Livestock numbers and entry dates may be adjusted depending on precipitation, range readiness, and maintenance of range improvements.***

In our first meeting, Barry Imler, Forest Range Staff Officer from Santa Fe came to our meeting at my request to give us a "worst case scenario" and how he calculated the worst case scenario of a 55%-75% reduction in Head Months for the 2003 grazing season. This recommendation was given to us in order to give permittees ample time to plan ahead due to the drought situation.

We had Luke Shelby, R.J. Kirkpatrick, and Robin Tierney from the New Mexico Department of Game and Fish (NMDGF) give a presentation to us about the Elk conflicts on the district. (The notes from that presentation are attached.) We are going to place monitoring cages, Crystellix, and salt blocks in strategic places on your allotment this year to hopefully keep Elk from using Key and Sensitive areas. We will notify you when this will take place, and hope for your assistance.

Listed below is the body of your Annual Operating Instructions (AOI).

## **I. GRAZING SCHEDULE**

Authorized Use on the Mesa Del Medio allotment is shown below.

PERMITTEE NAME	NUMBER OF CATTLE/SEASON OF USE					
	Permitted	Permitted season of use	2003 authorized	2003* Non-use	2003 authorized season of use	authorized use Head Months
Dennis Gallegos	14	6/1 – 10/31	14	0	7/1– 10/31	57
Garcia Brothers	10	6/1 – 10/31	10	0	7/1– 10/31	40
Frank Lovato	16	6/1 – 10/31	16	0	7/1– 10/31	65
Juan Jose Lovato	17	6/1 – 10/31	17	0	7/1– 10/31	69
Severiana Salazar & Sons	12	6/1 – 10/31	12	0	7/1– 10/31	49
Ronnie & Danny Salazar	35	6/1 – 10/31	0**	35	7/1– 10/31	0
A.B. Valdez	11	6/1 – 10/31	11	0	7/1– 10/31	44
Arturo Valdez	19	6/1 – 10/31	19	0	7/1– 10/31	77
Eva Velasquez	8	6/1 – 10/31	0**	8	7/1– 10/31	0
Mesa Del Medio Livestock Association	6	6/1 – 10/31	6	0	7/1– 10/31	24
TOTAL	148	6/1 – 10/31	105	43	7/1– 10/31	425

\* Non-Use is for Resource Protection. \*\* Requested by Permittee.

## II. HERD MANAGEMENT

Permittees will have no more than five (5) days prior and five (5) days after an established moving date to move cattle; unless there has been prior agreement between the Permittee and the District Ranger authorizing a change. **The rotation pattern described in this document is subject to change due to unforeseen circumstances such as lack of water or forage in some pastures. All changes must be agreed upon by all of the permittees and approved by District Ranger before they become effective.** Permittees grazing outside of the scheduled grazing season will be billed at the unauthorized use rate, with possible follow-up administrative action against the permit. All grazing fees, including late payment fees, must be paid prior to the turn-on date.

Salt placement is a tool to attract cattle to lightly used areas. It should not be placed in open park meadows, but rather inside edges of timbered areas or on rocky points and ridges. Salt should not be visible from roads or trails. Salt should be placed on good feed at least ½ mile from water and moved to areas of less use once desired use levels are achieved at the original location.

## III. COUNTING AND TAGGING

As identified in your grazing permit the calf counter policy is “Any animal 6 months of age or older as of January 1 is considered a counter. Calves less than 6 months of age as of January 1 become counters on March 1. All weaned animals are counters regardless of age.

#### **IV. EXCESS USE**

As stated in Part 3 of your term grazing permit, “Livestock grazed in excess of the numbers outside of the period use, or of a class or kind not authorized in the current Bill for Collection. When the annual application is approved, in whole or in part, livestock grazed in excess of authorized numbers must be removed from lands of the National Forest System. Grazing use by livestock in excess of that authorized in the current Bill for Collection is cause for cancellation and/or suspension of the permit in whole or part and must be assessed at the "unauthorized use rate”.

#### **V. UTILIZATION/MONITORING IN KEY AREAS**

The proper utilization of forage in Key Areas is a critical factor in livestock management on the Mesa Del Medio allotment. As discussed earlier monitoring will be scheduled regularly to insure that utilization levels are within recommended levels. It is the responsibility of the Permittee to ensure that utilization levels are not exceeded. Methods for monitoring utilization are based upon Holechek and DeGalt (2000).

As a result of consultations with the US Fish and Wildlife Service regarding the effects of grazing on Endangered Species, we are expected to not exceed the 40 percent utilization level of key species in key areas and a specified height of residual stubble matter by all ungulates. We will contact permittees to discuss the utilization criteria and to participate in these monitoring evaluations. In addition, we need to look at the established key areas together to determine if they are in suitable locations.

The Forest Service will begin looking at range readiness this year on May 28, 2003 to determine range readiness and if fences have been fixed. I hope that you could join us out in the field on that day.

In addition, utilization data will be collected near the middle and end of the grazing season from each key area. Additional data will be collected in riparian areas, where the minimum acceptable stubble height will be 4 inches. If we find that we have reached or exceeded allowable levels of use (stubble height), we will coordinate the move to another part of the allotment. If we find that all established monitoring areas have reached the allowable level of use before the exit date, it may then be necessary to take action that could range from complete removal, to finding alternate grazing areas.

#### **VI. IMPROVEMENT WORK**

There are no new projects scheduled for this year. Proposed new improvements are listed below.

- A pasture fence in lower Canones Creek.
- A pasture fence in lower Cañoncito Seco.
- A pasture fence in Canada Bonita.
- A fence extension from La Mesita de Cañoncito Seco to the Polvadera/Mesa Del Medio Boundary Fence.
- Prescribed burn in lower Chihuahueros Creek.

## **VI. MAINTENANCE OF IMPROVEMENTS**

Maintenance of improvements i.e. (fences, springs, tanks, wells) should be complete and in satisfactory condition prior to entry date to the specific pasture. Please refer to your permit map for your responsibilities. **If your maintenance responsibilities do not meet satisfactory condition you will not be permitted to turn out or your entry date may be delayed.**

## **VII. ADMINISTRATIVE APPEAL**

District Ranger decisions regarding issuance, denial, or administration of grazing and livestock use permits may be appealed in accordance with 36 CFR 251, Subpart C. The following standard paragraph is included in this Annual Operating Plan for the purpose of ensuring that you are aware of your appeal rights.

This Annual Operating Instruction (AOI) is hereby made a part of your term grazing permit.

**This decision is subject to administrative review pursuant to 36 CFR 251, Subpart C and any appeal of this decision must be fully consistent with 36 CFR 251.90 (see attached). In accordance with 36 CFR 251.84, if you file an appeal, I am willing to meet with you to discuss any concerns you may have with my decision. If you file an appeal, you may request an oral presentation in the appeal or at any time prior to closing of the appeal record (36 CFR 251.97). Additionally, if you file an appeal, you may request a stay of my decision in the appeal or at any time prior to closing of the appeal record (36 CFR 251.91).**

A notice of appeal, including the reasons for appeal, must be filed with Leonard Atencio, Forest Supervisor, Santa Fe National Forest, at P.O. Box 1689, Santa Fe, New Mexico 87504-1689 within 45 days of the date of this decision. A copy of the notice of appeal must be filed simultaneously with me, Francisco B. Sanchez, Coyote District Ranger, at, HC 78 Box1, Coyote, New Mexico 87012.

If you have any further questions concerning this matter please contact Ruben Leal, Range Staff at the above phone or address.

Respectfully,

/s/ Francisco B. Sanchez  
Francisco B. Sanchez  
District Ranger